

**EXHIBIT 1 TO DEFENDANT BB&T  
INSURANCE SERVICES, INC.'S  
NOTICE OF REMOVAL**

IN THE CIRCUIT COURT OF DAVIDSON COUNTY, TENNESSEE

AT NASHVILLE

KING MARKET, INC.,

Plaintiff,

**VS.**

BB&amp;T INSURANCE SERVICES, INC.,

**Defendant.**

No. 100 C3194

FILED  
COUNTY, TENNESSEE  
2016 DEC -8 AM 9:10  
RICHARD R. ROOKER, CLERK  
*Shan*  
D.C.

## COMPLAINT

COMES now the Plaintiff, KING MARKET, INC, by and through counsel, and would allege and show unto this Honorable Court as follows:

1. The Plaintiff, KING MARKET, INC., is a business authorized to, and is doing business in the State of Tennessee.
2. The Defendant, BB&T INSURANCE SERVICES, INC., is a corporation doing business in the State of Tennessee and operating under the name BB&T – Cooper, Love, Jackson, Thornton & Harwell with a principal place of business located at 4400 Harding Road, Suite 400, Nashville, Tennessee 37205, and may be served with process through its registered agent, C T Corporation System, Suite 2021, 800 S. Gay Street, Knoxville, TN 37929-9710.
3. This action arises out of an insurance contract made in Davidson County, Tennessee, and therefore, this Honorable Court has jurisdiction and venue to hear this cause.

4. David Glisson was employed as an insurance agent for the Defendant, BB&T INSURANCE SERVICES, INC, located at 4400 Harding Road, Suite 400, Nashville, Tennessee 37205.
5. Upon information and belief, David Glisson is no longer employed with BB&T INSURANCE SERVICES, INC.
6. In 1997, David Glisson became the insurance agent for KING MARKET, INC., formerly known as Antioch Fine Jewelry.
7. The Plaintiff, KING MARKET, INC., is a jewelry store with its principal place of business located at 1801 Antioch Pike, Antioch, Tennessee 37013.
8. The Plaintiff, KING MARKET, INC., relied upon the Defendant, BB&T INSURANCE SERVICES, INC., and its agents to obtain adequate insurance for its business.
9. The Defendant, BB&T INSURANCE SERVICES, INC., obtained a renewal policy of insurance for the Plaintiff, KING MARKET, INC., from Westfield Insurance Company for commercial property coverage bearing policy number CWP 4 071 217 that was in effect on April 12, 2016.
10. On or about April 12, 2016, the Plaintiff, KING MARKET, INC., suffered a theft loss resulting in stolen jewelry and gold in the amount of \$205,508.00 and stolen money in the amount of \$30,000.00.
11. The Defendant, BB&T INSURANCE SERVICES, INC., was responsible for obtaining insurance coverage for KING MARKET, INC. during the period of time in which the theft loss occurred.

12. The Plaintiff, KING MARKET, INC., reported the theft loss claim to its insurance company, Westfield Insurance Company, for theft losses of gold, jewelry, and money.
13. Westfield Insurance Company informed the Plaintiff, KING MARKET, INC., that its policy of insurance had a policy limit for theft of jewelry and gold of \$2,500.00.
14. The Plaintiff, KING MARKET, INC., was unaware that there was a limit on coverage for theft of jewelry or gold of \$2,500.00 until notification from Westfield Insurance Company, after the theft loss on April 12, 2016.
15. The policy of insurance obtained by the Defendant, BB&T INSURANCE SERVICES, INC., was grossly inadequate to cover a potential theft loss of the Plaintiff, KING MARKET, INC., with its principal operation as a jewelry store.
16. The Plaintiff, KING MARKET, INC., has operated as a jewelry store since its inception.
17. The Plaintiff, KING MARKET, INC., relied on its agent, David Glisson, and the Defendant, BB&T INSURANCE SERVICES, INC., to procure adequate insurance coverage for its business to insure it against perils such as theft losses.
18. The Defendant, BB&T INSURANCE SERVICES, INC., and its agents received compensation for obtaining insurance coverage for the Plaintiff, KING MARKET, INC.
19. The Defendant, BB&T INSURANCE SERVICES, INC., and its agents failed to exercise reasonable skill, care, and diligence, in obtaining adequate insurance coverage for the Plaintiff, KING MARKET, INC., to insure against a theft loss.

20. The Defendant, BB&T INSURANCE SERVICES, INC., was negligent in securing adequate jewelry and gold theft loss coverage for the Plaintiff, KING MARKET, INC., who operated as a jewelry store.
21. The Defendant, BB&T INSURANCE SERVICES, INC., had knowledge that the Plaintiff, KING MARKET, INC., operated as a jewelry store.
22. As a result of the theft loss on April 12, 2016, the Plaintiff, KING MARKET, INC., suffered damages in the amount of \$208,008.00.

WHEREFORE, PREMISES CONSIDERED, the Plaintiff, KING MARKET, INC., prays:

1. That this Complaint be filed, proper process issued, the Defendant, BB&T INSURANCE SERVICES, INC., be served, and that the Defendant be required to answer within the time prescribed by law;
2. That the Plaintiff, KING MARKET, INC., be granted a judgment against the Defendant, BB&T INSURANCE SERVICES, INC., in the amount of \$208,008.00
3. That the Plaintiff, KING MARKET, INC., be granted prejudgment interest;
4. That the court costs be taxed to the Defendant; and
5. For any further general and/or equitable relief as the justice of this cause may require.

RESPECTFULLY SUBMITTED,

DIX & ASSOCIATES, P.L.L.C.

BY: 

ROBERT L. SANDS, BPR #29373

Attorney for the Plaintiff

805 South Church Street, Suite 18

Murfreesboro, TN 37130

(615) 494-4941

rob@dixandassociates.net

Copy

CIRCUIT COURT SUMMONS

NASHVILLE, TENNESSEE

**FILED**  
2016 DEC -8 AM 9:10  
STATE OF TENNESSEE  
DAVIDSON COUNTY  
20<sup>TH</sup> JUDICIAL DISTRICT

- ☒ First  
☐ Alias  
☐ Pluries

KING MARKET, INC. *[Signature]* DC

Plaintiff

Vs.

BB&T INSURANCE SERVICES, INC.

800 S. Gay Street, Suite 2021

Knoxville, TN 37929-9710

Defendant

CIVIL ACTION

DOCKET NO. 16C3194

Method of Service:

- ☐ Davidson County Sheriff  
☐ Out of County Sheriff  
☐ Secretary of State  
☒ Certified Mail  
☐ Personal Service  
☐ Commissioner of Insurance

*DI WLC*

To the above named Defendant:

You are summoned to appear and defend a civil action filed against you in the Circuit Court, 1 Public Square, Room 302, P.O. Box 196303, Nashville, TN 37219-6303, and your defense must be made within thirty (30) days from the date this summons is served upon you. You are further directed to file your defense with the Clerk of the Court and send a copy to the Plaintiff's attorney at the address listed below.

In case of your failure to defend this action by the above date, judgment by default will be rendered against you for the relief demanded in the complaint.

ISSUED: 12-8-16

**RICHARD R. ROOKER**

Circuit Court Clerk  
Davidson County, Tennessee

By: *[Signature]*

Deputy Clerk

ATTORNEY FOR PLAINTIFF

or

PLAINTIFF'S ADDRESS

Robert L. Sands

805 S. Church Street, Suite 18, Murfreesboro, TN 37130

Address

(615) 494-4941

TO THE SHERIFF:

Please execute this summons and make your return hereon as provided by law.

**RICHARD R. ROOKER**

Circuit Court Clerk

Received this summons for service this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

SHERIFF



To request an ADA accommodation, please contact Dart Gore at (615) 860-3309.